



MEMORANDUM
OFFICE OF THE MAYOR

Agenda Item No. 2(B)1

TO: The Honorable Chairperson and Members
Board of County Commissioners

DATE: September 8, 2003

FROM: Alex Penelas
Mayor

SUBJECT: Item 6 (K) –
Amendment to
Expedite Ordinance
00-104

A handwritten signature in black ink, appearing to read "Alex Penelas", is written over the printed name and title.

Item 6 (K), an ordinance amending Sections 2-8.26 and 2-8.2.7 of the Code (the "Expedite Ordinance" No. 00-104), authorizes the County Manager to take certain actions to expedite the construction of projects funded with Charter County Transit System Sales Surtax funds (the People's Transportation Plan). This amendment has been proposed as a mechanism to assist in the expeditious implementation of voter-approved and funded transportation improvements.

The overwhelming support by County voters for the People's Transportation Plan (PTP) attests to the undisputed need for dramatic improvements to our transportation system and infrastructure. The proposed amendment to our existing Expedite Ordinance would permit us to advance the goals of the PTP in an accelerated manner, while ensuring that all of the appropriate mechanisms for oversight of the transit surtax funds are maintained.

As is the case with the application of the Expedite Ordinance for other capital projects, this amendment provides relief in the approval process required to advertise for competitive procurement; this amendment eliminates the approximate 75-day timeframe currently required for prior approval to advertise. However, this amendment also clearly defines and limits the County Manager's powers to contract with transit surtax-funded projects under the Expedite Ordinance, by requiring that all bid or proposal documents for transit surtax-funded projects must clearly state that no award will be effective and no contract valid without the approval by the Board of County Commissioners and ratification by the Citizens' Independent Transportation Trust (or re-affirmed as provided by County Code). I believe this provision ensures that our citizens' expectation of appropriate oversight of transit surtax expenditures continues to be met.

Further, because all projects to be funded with transit surtax proceeds must be included in the CITT- and BCC-approved PTP, and any amendments to the PTP must also receive CITT and BCC approval, the attendant delays currently involved in approving the issuance of a competitive process for a PTP improvement would appear to be redundant. In short, no competitive process can be issued for a project not already in the PTP, and the PTP contains only those projects that have been approved by the BCC and the CITT.

Lastly, the timely implementation of the PTP must be a top priority for our County. These projects are complex enough to require a significant amount of time to be brought to fruition. Wherever we can identify time savings, especially when we can ensure no erosion of the oversight expected by our citizens, we should embrace these opportunities. I urge you to support item 6 (K) and ensure that we can provide the transportation improvements our citizens have approved and expect, without any unnecessary delays.

cc: The Honorable Harvey Ruvin, Clerk of Courts
Robert A. Ginsburg, County Attorney
George Burgess, County Manager

